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TOR:291113Z MAR 75

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FM USMISSION GENEVA
TO RUEHC/SECSTATE WASHDC 1738
INFO RUEHDT/USMISSION USUN NEW YORK 1505
BT
UNCLAS GENEVA 2194
FROM USDEL LOS
E.O. 11652: N/A
TAGS: PLOS

SUBJECT: LOS UNCLASSIFIED WEEKLY SUMMARY FOR D/LOS,
ENDING MARCH 26, 1975

SUMMARY: DURING SECOND WEEK OF CONFERENCE WORK PROCEEDED
ON CONCURRENT BASIS OF INFORMAL WORKING GROUPS OF THREE
MAIN COMMITTEES AND INFORMAL CONSULTATIONS AMONG OTHER
GROUPS INCLUDING MEETING OF ALL REGIONAL GROUPS AS WELL
AS GROUP OF 77. CONFERENCE PRESIDENT HAS SET APRIL 4 AS
TIME AT WHICH WORK OF INITIAL STAGE OF CONFERENCE WILL
BE REVIEWED AND FUTURE COURSE OF ACTION CONSIDERED. IN
SINGLE FORMAL MEETING OF C-1, USSR INTRODUCED ARTICLES
ON BASIC CONDITIONS OF DEEP SEABEDS EXPLOITATION. C-2
WORKING GROUP CONTINUED SECOND READING OF ITEMS IN MAIN
TRENDS PAPER INCLUDING TERRITORIAL SEA, STRAITS AND
ARCHIPELAGOS. IN A FORMAL MEETING OF C-3, UK INTRODUCED,
ON BEHALF OF NINE MEMBERS OF GROUP OF 17 MARITIME STATES,
COMPREHENSIVE DRAFT ARTICLES ON MARINE POLLUTION. END
SUMMARY.

1. COMMITTEE I: IN CONFORMITY WITH INITIAL PROPOSED
OUTLINE OF WORK, COMMITTEE I WORKING GROUP CONCENTRATED
EFFORTS IN SUBSEQUENT STAGES OF OPERATIONS) AND 5 (AR-
RANGEMENTS RELATING TO ACTIVITIES) CONTAINED IN CP/WORK-
ING PAPER NO. 2 OF 18 MARCH, 1975. AGREEMENT REACHED
ON CONTINUING DISCUSSION ON JOINT VENTURE SYSTEM ACCEPT-
ABLE TO ALL DELEGATIONS IN LIEU OF EXAMING ARTICLE 9
(I.E. DIRECT EXPLOITATION BY AUTHORITY). USSR INTO-
DUCED A/CONF. 62/C.1/L.12 OF 21 MARCH 1975, REPRESENTING
SOVIET PROPOSAL ON BASIC PROVISIONS OF RULES AND REGULA-
TIONS FOR DEEP SEABEDS ACTIVITIES, NOW FIFTH PRINCIPAL
ALTERNATIVE TEXT UNDER CONSIDERATION BY COMMITTEE I.
PERU EXPRESSED CONCERN OF GROUP OF 77 OVER REPORTS
THAT USG CONSIDERING DEEP SEABED LEGISLATION AND AUSTRALIA

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All Committee
Group of 17-
Group of 77-
Many Countries-
30

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PAGE 02

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RAISED DEEP SEA VENTURES CLAIM. AMBASSADOR STEVENSON DELIVERED WELL-RECEIVED INTERVENTION THAT EXPRESSED U.S. POSITION ON OCEAN MINING LEGISLATION. ENGO (CHAIRMAN) TO REPORT PROGRESS OF COMMITTEE I AND COMMITTEE I WORKING GROUP TO PLENARY, 7 APRIL.

2. COMMITTEE III: A. INFORMAL MORNING MEETINGS OF COMMITTEE II COVERED TERRITORIAL SEA, CONTIGUOUS ZONE, STRAITS AND CONTINENTAL SHELF, AND ECONOMIC ZONE. TONE OF STATEMENTS WAS GENERALLY MODERATE BUT REPETITIOUS. IT IS APPARENT MOST DELEGATIONS ARE DEPENDING ON PRIVATE NEGOTIATING GROUPS TO PRODUCE NEEDED COMPROMISES. DURING LENGTHY DISCUSSION OF TERRITORIAL SEA, DEBATE FOCUSED ON ALTERNATIVE FORMULATIONS, ONE OF WHICH REFERRED TO ARCHIPELAGOS. DESPITE STRONG ATTEMPTS BY SMALL GROUP LED BY INDONESIA TO ELICIT SUPPORT FOR AN ARCHIPELAGIC REFERENCE, NON-PREJUDICIAL FORMULA, WHICH IN EFFECT MERELY DEFERS ARCHIPELAGO QUESTION, WAS BROADLY SUPPORTED.

B. OPEN ATTACKS ON U.S. STRAITS OBJECTIVES HAVE BEEN INFREQUENT AND LARGELY CONFINED TO SPAIN, PRC, OMAN, MOROCCO AND EGYPT. ARCHIPELAGO ITEM PASSED WITHOUT COMMENT. DURING CONSIDERATION OF ECONOMIC ZONE, PERU, IN RESPONDING TO SUPPORT BY PRC AND HONDURAS FOR COASTAL STATE SOVEREIGNTY IN ZONE, ENDORSED JURISDICTIONAL FORMULATION CONTAINED IN 7S. DRAFT ARTICLES (L.47). LANDLOCKED AND OTHER "GEOGRAPHICALLY DISADVANTAGED" STATES MADE SERIES OF STATEMENTS, THRUST OF WHICH WAS APPARENTLY TO REMIND PRIVATE AND INFORMAL NEGOTIATING GROUPS THAT THEIR INTERESTS MUST BE ACCOMMODATED.

C. IN COMMITTEE II, AFTERNOONS WERE DEVOTED TO MEETINGS OF INFORMAL WORKING GROUPS. AFTER MEETING FOR TWO DAYS, FIRST SUCH GROUP FOUND ITSELF IN WIDE AGREEMENT ON PROVISION I (NATURE OF TERRITORIAL SEA), BUT DEFERRED TEXT LARGELY BECAUSE OF INABILITY TO AGREE ON REFERENCE TO ARCHIPELAGIC WATERS AS BASIS FOR MEASURING BREADTH OF TERRITORIAL SEA. U.S. CONCURRED IN SUCH DEFERRAL. ANOTHER SMALL GROUP IS NOW MEETING ON HISTORIC BAYS WITH AIM OF PRODUCING SINGLE TEXT DRAFT ARTICLES ON SOME OF THE MORE TECHNICAL PROVISIONS.

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PAGE 03-03

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3. MARINE POLLUTION: COMMITTEE III'S INFORMAL WORK-
ING GROUP ON ITEM 12 (MARINE POLLUTION) COMPLETED MOST
OF ITS WORK ON MONITORING ARTICLE, HAVING DEFERRED
FINAL DECISION ON INCLUSION OF LANGUAGE SUPPORTIVE OF
A DOUBLE STANDARD. THE U.K. INTRODUCED DRAFT ARTICLES
ON MARINE POLLUTION OF BEHALF OF NINE MEMBERS OF THE
GROUP OF 17. DRAFT ARTICLE WAS ATTACKED TO SOME FOR FAILURE
TO GIVE RESIDUAL ENFORCEMENT POWERS TO COASTAL STATES.
AMBASSADOR MOORE SUPPORTED DRAFT BUT ALSO EXPRESSED
DISAPPOINTMENT OF U.S. WITH THE DRAFT'S RESTRICTIONS
ON PORT STATE ENFORCEMENT POWERS.

4. U.S. PROPOSAL RELATING TO ENVIRONMENTAL ASSESS-
MENTS WAS INTRODUCED IN THE INFORMAL GROUP AS A AD-
DITION TO MONITORING ARTICLE BUT HAS NOT YET BEEN
SUBJECT OF DEBATE. DALE

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R 290900Z MAR 75

FM USMISSION GENEVA

TO RUEHC/SECSTATE WASKGY 1737

INWG RUEHDT/USMISSION USUN NEW YORK 1504

BT

CONFIDENTIAL GENEVA 2193

FROM USDEL LOS

E.O. 11652: GDS

TAGS: PLOS

SUBJ: CLASSIFIED LOS WEEKLY SUMMARY FOR D/LOS,
ENDING MARCH 26

SUMMARY: WORKING GROUPS OF MAIN COMMITTEES CONTINUED IN DAILY MEETINGS WITH PROGRAM OF WORK WITH VARYING DEGREES OF EFFECTIVENESS. IN COMTE II PARTICULARLY, WORK IS ESSENTIALLY MARKING TIME UNTIL COMPLETION OF DRAFT BY EVENSEN GROUP WHICH IS EXPECTED PRIOR TO PRESIDENT'S REVIEW DATE OF APRIL 4. COMTE I WORKING GROUP CONTINUED DISCUSSION OF BASIC CONDITIONS OF EXPLOITATION WHICH HAS USEFULLY TENDED TO FOCUS DISCUSSION ON JOINT VENTURES RATHER THAN ALTERNATIVE SYSTEMS OF DIRECT EXPLOITATION OR SERVICE CONTRACTS. BOTH COMTE I AND COMTE III HAVE CREATED SMALL DRAFTING GROUPS. THERE HAVE BEEN RECURRENT RIPPLES OF PROTEST ABOUT "EXCLUSIVENESS" OF EVENSEN GROUP. REGIONAL GROUPS HAVE OR EXPECT TO NAME CONTACTS FOR MAIN COMMITTEE SUBJECTS TO WORK WITH GROUP OF 77. UNCLEAR WHETHER CONTACTS WILL ALSO DEAL WITH MAIN COMMITTEE SUBJECTS OUTSIDE CONTEXT OF GROUP OF 77. END SUMMARY.

1. COMTE I: A. MOOD AMONG COMTE I LEADERSHIP HAS BEEN OPTIMISTIC, WITH GROUP OF 77 SHOWING WILLINGNESS TO PUT ASIDE PHILOSOPHICAL DEBATE ON EXPLOITATION SYSTEM AND DISCUSS COMPROMISE ON SOME PRACTICAL ASPECTS OF CONDITIONS OF EXPLOITATION. MANY AFRICAN DELS APPEAR ANXIOUS TO GET BASIC COMTE I ISSUES AGREED THIS SESSION, LOOKING TOWARDS WRAP-UP CARACAS SESSION EARLY 1976. DEVELOPING COUNTRY DELS HAVE ALREADY DEMONSTRATED CONSIDERABLE FLEXIBILITY ON CONDITIONS ISSUES, WHILE US HAS TAKEN MODERATE STANCE IN PUBLIC AND AND PRIVATE DISCUSSIONS WHICH MANY DELS HAVE CHARACTERIZED AS VERY CONSTRUCTIVE. UNTIL INTRODUC-

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All Committees

Group of 17
Group of 77
Many Countries

29

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TION OF USSR DRAFT OF DETAILED RULES AND REGULATIONS WED., SOV DEL DID NOT PARTICIPATE IN WORKING GROUP (WG) DEBATE OR PRIVATE CONSULTATIONS. BELIEVE RAPID RATE OF COMPROMISE IN PRIVATE DISCUSSIONS MAY HAVE GENERATED APPREHENSION THAT LED GROUP OF 77 LEADERSHIP TO STAGE SLIGHT DISRUPTION IN SESSIONS ON TUES. AND WED., ALTHOUGH NET EFFECT IS NOT JUDGED SERIOUS. B, WG HAS TACKLED KEY ISSUES IN BASIC CONDITIONS WITH MARKED SERIOUSNESS, WHILE PRIVATE CONSULTATIONS UNDER WG CHAIRMAN HAVE LED TO FRANK DISCUSSION OF MAJOR DISPUTES ON HOW EXPLOITATION SYSTEM WILL OPERATE. NO COMMITMENTS HAVE BEEN MADE, BUT INCLUSION OF BASIC CONDITIONS IN TREATY COUPLED WITH DETAILED PROVISIONAL REGULATIONS APPEARS IN BALLPARK. C, POSSIBLE AGREEMENT IS IN SIGHT ON JOINT VENTURES AS PRINCIPAL MEANS OF DOING BUSINESS, ALTHOUGH GROUP OF 77 HAS EFFECTIVELY MAINTAINED ITS POSITION THAT DIRECT EXPLOITATION AND SERVICE CONTRACTS WILL HAVE TO BE CONTENDED WITH AT LATER STAGE IN NEGOTIATIONS. EFFORT TO REINFORCE DEVELOPING COUNTRY SOLIDARITY ON LATTER MAY HAVE INSPIRED MARCH 26 ON RECORD GROUP OF 77 REP MAND DIRECTED TO US FOR PRESS REPORTS OF DRAFT OCEAN MINING LTGISLATION WITHIN EXECUTIVE BRANCH. HOWEVER, EXCHANGE ON THAT DATE WAS MILD IN COMPARISON TO PAST DEBATE ON SAME POINT.

2. COMMITTEE III: A, SPAIN REPEATEDLY SOUGHT TO PREJUDICE MAIN TRENDS FORMULATION WITH REFERENCES TO STRAITS AS INTEGRAL PART OF TERRITORIAL SEA. SUPPORT FOR SPANISH POSITION CAME ONLY FROM HARD-LINE EXTREMISTS PRC, MOROCCO, YEMEN, AND OMAN. ARAB GROUP APPEARS TO BE SERIOUSLY SPLIT OVER STRAITS ISSUE AT THIS TIME.

B, DISCUSSIONS BOTH IN INFORMAL COMMITTEE AND WORKING GROUPS CLEARLY ILLUSTRATE ISOLATION OF PHILIPPINES ON HISTORIC WATERS QUESTION. INDONESIA MADE SOME OF THE HARSH EST ATTACKS ON PHILIPPINE POSITION.

C, TERRITORIAL SEA DISCUSSION PASSED WITHOUT CONSPICUOUS POLEMICS AND AMID GENERAL RECOGNITION THAT POLITICAL ACCOMMODATION (1) MUST COME FROM PRIVATE DISCUSSION, (2) WAS INTERRELATED WITH ECONOMIC ZONE, STRAITS, AND ARCHIPELAGO ISSUES, AND (3) WAS

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TOR:291109Z MAR 75

NECESSARY PREVONDITION FOR COMMITTEE TO CONSOLIDATE TESTS.

D. ON STRAITS, UAE SUPPORTED BY OTHER ARAB STATES, ARGUED THAT CONFERENCE SHOULD DEAL ONLY WITH STRAITS CONNECTING HIGH SEAS TO HIGH SEAS, WHILE INDONESIA ARGUED THAT STRAITS BORDERED BY A SINGLE STATE WERE NOT INTERNATIONAL AND HENCE SHOULD NOT BE COVERED. ITALY SUGGESTED AMENDMENT OF ISLAND-FORMED STRAITS EXCEPTION BY REPLACING QUOTE EQUALLY SUITABLE HIGH SEA ROUTE UNQUOTE WITH QUOTE HIGH SEAS ROUTE OF SIMILAR CONVENIENCE UNQUOTE, UK AND FIJI ARE JOINTLY CHAIRING A SMALL (13 STATE) PRIVATE NEGOTIATING GROUP ON STRAITS ISSUE WITH AIM OF SECURING LDC SUPPORT FOR UK APPROACH AS GENERAL COMPROMISE FORMULATION. FIJI, NO DOUBT FEELING HEAVY PRESSURE ON ARCHIPELAGO ISSUE, IS BEING HELPFUL IN THIS GROUP, PARTICULARLY ON SUPPORT OF PRINCIPLE OF EQUAL TREATMENT FOR ALL VESSELS. MEMBERS OF GROUP ALSO INCLUDE ARGENTINA, BAHRAIN, DENMARK, ETHIOPIA, ICELAND, ITALY, KENYA, LEBANON, NIGERIA, SINGAPORE, UAE, AND VENEZUELA. GROUP MAY LATER INCLUDE BULGARIA, INDIA, JAMAICA, MEXICO, SENEGAL AND SIERRA LEONE. GROUP HAS SCHEDULED TWO MEETINGS FOR NEXT WEEK.

E. IN EVENSEN GROUP, CONSIDERATION CONTINUED ON PROVISIONS DEALING WITH LIVING RESOURCES. DISCUSSIONS WILL THEN FOCUS ON ACCESS TO RESOURCES ON REGIONAL BASIS AND LANDLOCKED STATES ARTICLES. GENERAL PROVISIONS ON ECONOMIC ZONE (FIFTH REVISION) WERE ISSUED. PROGRESS IS SLOW AS WOULD BE EXPECTED DUE TO IMPORTANCE OF ISSUES.

F. IN COMMITTEE II INFORMAL MEETING PERU STATED THAT PROBLEMS OF HARMONIZING RIGHTS IN ECONOMIC ZONE WERE BEING ADDRESSED IN PRIVATE CONSULTATIONS AND THAT A DELICATE BALANCE HAD BEEN STRUCK. WE TAKE THIS AS ENDORSEMENT OF EVENSEN NEGOTIATIONS WHERE QUESTION OF RESIDUAL RIGHTS IS BEING NEGOTIATED INTENSIVELY. JAMAICA AND BARBADOS STATED THEY COULD SUPPORT CONCEPT OF 200-MILE TERRITORIAL SEA SO LONG AS THEY WERE GRANTED EQUAL RIGHTS TO EXPLOITATION OF RESOURCES WITHIN THE TERRITORIAL SEA. MAIN INTEREST

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PAGE 04

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OF BOTH STATES APPEARS TO BE ACCESS TO BRAZILIAN SHRIMP. REPORTS ARE THAT SOME CARIBBEAN STATES AND QUOTE GEOGRAPHICALLY DISADVANTAGED STATES UNQUOTE ARE UNHAPPY WITH EVENSEN NEGOTIATIONS WHERE THEY HAVE PRIVATELY SAID THEIR INTERESTS WERE NOT ADEQUATELY REPRESENTED.

G. RE CONTINENTAL MARGIN: WALLER (AUSTRALIA) REAFFIRMED THAT ONE OF AUSTRALIA'S MAIN OBJECTIVES WAS TO OBTAIN COASTAL STATE JURISDICTION OVER MINERAL RESOURCES IN THE CONTINENTAL MARGIN BEYOND 200-MILE ECONOMIC ZONE. AUSTRALIA, HE SAID, IS EVEN MORE OPPOSED THAN BEFORE TO THE SHARING OF REVENUES FROM ANY PART OF THE CONTINENTAL MARGIN. ARCHER (UK) CONFIRMED THAT THE UK WOULD SHARE REVENUES FROM CONTINENTAL MARGIN AT SO LOW RATE IN EXCHANGE FOR OBTAINING CLEAR JURISDICTION OVER CONTINENTAL MARGIN WHERE IT EXTENDS BEYOND THE ECONOMIC ZONE.

3. COMTE IIII A. POLLUTION WG CHARMAN VALLARTA HAS CREATED CONFIDENTIAL SMALL NEGOTIATING AND DRAFTING GROUP COMPOSED THUS FAR OF US, EGYPT, POLAND, USSR, CANADA, UK, BELGIUM, AUSTRALIA, INDIA, JAPAN, SINGAPORE, MEXICO, KENYA, AND GHANA TO CONSIDER ISSUES BEFORE WG AND WORK OUT COMPROMISES. US PROPOSAL ON ENVIRONMENTAL IMPACT ANALYSIS WAS DEFERRED FOR SEVERAL DAYS AT REQUEST OF USSR.

B. NEW EVENSEN GROUP POLLUTION TEXT PRESENTS SEVERAL MAJOR PROBLEMS, PARTICULARLY WITH RESPECT TO CHARACTERIZATION OF ALTERNATIVES ON COASTAL STATE VESSEL POLLUTION JURISDICTION BEYOND TERRITORIAL SEA AND DOUBLE STANDARD ISSUE. EVENSEN GROUP WILL NOT CONSIDER POLLUTION FOR AT LEAST ANOTHER WEEK, AND IT MAY BE POSSIBLE TO HAVE EVENSEN IMPROVE TEXTS. GROUP OF 17 MEETING EVENING MARCH 26 WAS DEVOTED TO DISCUSSION OF TEXT, WITH US, USSR, UK AND OTHERS INDICATING DISPLEASURE WITH NORWEGIAN DRAFT. ISSUE OF RESTRICTIONS ON PORT STATE ENFORCEMENT SQUARELY POSED BY GROUP OF 17 DRAFT. ALTHOUGH DOUBLE STANDARD ISSUE HAS HEALED UP SOMEWHAT CANADA HAS HAD LITTLE PERCEPTIBLE SUCCESS IN APPARENT EFFORT TO GAIN LDC SUPPORT

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PAGE 05-05

NC 19316

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FOR VESSEL ISSUES, GOING SO FAR AS TO CRITICIZE
GROUP OF 17 TEXT FOR FAILURE TO INCLUDE LAND-BASED
DOUBLE STANDARD.
DALE

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R 290900Z MAR 75
FM USMISSION GENEVA
TO SECSTATE WASHDC 1736
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UNCLAS GENEVA 2192

FROM USDEL LOS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: COMMITTEE III (POLLUTION) MEETING, MARCH 26, 1975

SUMMARY: AT THE 19TH FORMAL MEETING OF COMMITTEE III, THE UK INTRODUCED ARTICLES ON MARINE POLLUTION CO-SPONSORED BY NINE MEMBERS OF THE GROUP OF 17. AFTER GENERAL DEBATE ON THE NINE POWER PROPOSAL, THE USSR, WHICH WAS NOT A CO-SPONSOR, INTRODUCED ARTICLES DEALING WITH ISSUES NOT COVERED IN THE NINE POWER PROPOSAL. END SUMMARY

1. FOLLOWING A MOMENT OF SILENCE FOR KING FAISAL, THE UK INTRODUCED COMPREHENSIVE DRAFT POLLUTION ARTICLES ON BEHALF OF NINE MEMBERS OF THE GROUP OF 17 (BELGIUM, BULGARIA, DENMARK, GDR, FRG, GREECE, NETHERLANDS, POLAND, UK). JACKLING STRESSED UK VULNERABILITY AS A COASTAL STATE AND CHARACTERIZED THE PORT STATES POWERS INCLUDED IN THE DRAFT AS A DISTINCT SHIFT IN ITS POSITION.

2. THE DRAFT WAS SUPPORTED IN INTERVENTIONS BY FOUR CO-SPONSORS (BELGIUM, NETHERLANDS, DENMARK, FINLAND), EACH OF WHICH EMPHASIZED THE VALUE OF THE TEXT AS A BASIS FOR DISCUSSION.

3. TANZANIA ATTACKED THE DRAFT IN A LENGTHY INTERVENTION, IN WHICH IT QUESTIONED THE "SERIOUSNESS" OF THE CO-SPONSORS, AND SUGGESTED THE DRAFT WAS A "SMOKESCREEN" FOR THE SHIPPING INTERESTS. IN PARTICULAR, TANZANIA COMPLAINED OF THE DRAFT'S LACK OF RESIDUAL POWERS IN COASTAL STATES. TANZANIA ALSO STRESSED THE NEED FOR A DOUBLE STANDARD APPLICABLE TO LAND BASED SOURCES IN DEVELOPING COUNTRIES, AND ARGUED THAT GOVERNMENT VESSELS IN COMMERCIAL SERVICE SHOULD ALSO BE COVERED BY THE EXEMPTION CLAUSE.

4. INDIA AND CANADA ALSO ATTACKED THE DRAFT AT SOME LENGTH, EACH STRESSING ITS OMISSION OF RESIDUAL COASTAL STATE POWERS. CANADA ALSO COMPLAINED ABOUT THE DRAFT'S FAILURE TO PROVIDE A DOUBLE STANDARD APPLICABLE TO ITS

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PROVISIONS ON LANDBASED SOURCES, AND CHARACTERIZED THE PORT STATE ENFORCEMENT PROVISIONS AS "USEFUL" AND MERITING FURTHER STUDY.

5. THE US (AMB MOORE) WELCOMED THE INTRODUCTION OF THE NINE POWER DRAFT, BUT STRESSED THE U.S. WAS DISAPPOINTED IN THE RESTRICTIONS IT WOULD IMPOSE ON UNIVERSAL PORT STATE ENFORCEMENT. MOORE ALSO STRESSED THE US UNDERSTANDING THAT THE PROPOSED ARTICLE ON DUMPING WAS INTENDED TO REFER TO DUMPING AS DEFINED IN THE 1972 LONDON CONVENTION.

6. THE USSR INTRODUCED ITS OWN DRAFT ARTICLES, ALL OF WHICH DEAL WITH ISSUES NOT COVERED BY THE NINE POWER DRAFT, INCLUDING A PROVISION PROHIBITING DISCHARGES BY SHIPS WHILE TRANSITING STRAITS USED FOR INTERNATIONAL NAVIGATION. THE USSE ALSO EXPRESSED DOUBTS ON THE ACCEPTABILITY OF THE PORT STATE ENFORCEMENT PROVISIONS IN THE NINE POWER DRAFT, STRESSING THE FACT THAT A PORT STATE WOULD BE ABLE THEREBY TO PROSECUTE VIOLATIONS OCCURRING FAR FROM ITS OWN COASTLINE.

7. UNEP (THATCHER) FORMALLY INTRODUCED ITS PAPER ON GEMS (GLOBAL ENVIRONMENT MONITORING SYSTEM).

8. TANZANIA, SPEAKING FIRST AFTER CO-SPONSORS, OBJECTED TO THE FORMAL INTRODUCTION OF THE TWO PROPOSALS AS A RE-OPENING OF THE GENERAL DEBATE AND DELAYING PROGRESS OF SERIOUS NEGOTIATIONS. THEY INDICATED IT WOULD HAVE BEEN MORE HELPFUL IF THEY HAD BEEN INTRODUCED AS INFORMAL PAPERS IN THE WORKING GROUP. DALE

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TO SECSTATE WASHDC 1734
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FROM USDEL LOS
E.O. 11652: N/A
TAGS: PLOS

SUBJECT: LOS: EVENSEN GROUP GENERAL ARTICLES
FOLLOWING IS FIFTH REVISION OF EVENSEN GROUP GENERAL
ARTICLES DISTRIBUTED ON MARCH 27:

QTE: THE ECONOMIC ZONE

GENERAL PROVISION

ARTICLE 1 (PREVIOUS ARTICLE 11) (CORR. 1)

1. THE COASTAL STATE HAS IN AN AREA BEYOND AND ADJA-
CENT TO ITS TERRITORIAL SEA, KNOWN AS THE EXCLUSIVE
ECONOMIC ZONE:

(A) SOVERIGN RIGHTS THROUGHOUT THE AREA FOR THE
PURPOSE OF EXPLORING AND EXPLOITING, CONSERVING AND
MANAGING THE NATURAL RESOURCES, WHETHER RENEWABLE OR
NON-RENEWABLE, OF THE SEABED AND SUBSOIL AND THE
SUPERJACENT WATERS;

(B) RIGHTS WITH REGARD TO OTHER ACTIVITIES FOR THE
ECONOMIC EXPLORATION AND EXPLOITATION OF THE ZONE,
SUCH AS THE PRODUCTION OF ENERGY FROM THE WATER
CURRENTS AND WINDS;

(C) JURISDICTION AS PROVIDED FOR IN THIS CONVENTION
WITH REGARD TO:

(I) THE PRESERVATION OF THE MARINE ENVIRONMENT,

(II) SCIENTIFIC RESEARCH,

(III) THE ESTABLISHMENT AND USE OF ARTIFICIAL IS-
LANDS, INSTALLATIONS AND SIMILAR STRUCTURES, INCLUD-
ING CUSTOMS, FISCAL, HEALTH AND IMMIGRATION REGULA-
TIONS PERTAINING THERETO, #

(D) OTHER RIGHTS AND DUTIES PROVIDED FOR IN THIS
CONVENTION.

2. IN EXERCISING ITS RIGHTS AND PERFORMING ITS
DUTIES UNDER THIS CONVENTION, THE COASTAL STATE
SHALL HAVE DUE REGARD TO THE RIGHTS AND DUTIES OF
OTHER STATES IN THE ECONOMIC ZONE.

Evanson Group
General Articles
General Committee II

27

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3. THE RIGHTS SET OUT IN THIS ARTICLE SHALL BE WITHOUT PREJUDICE TO THE PROVISIONS OF ARTICLES... OF THIS CONVENTION.##
#THE ISSUE OF CONTIGUOUS ZONES FOR THE PURPOSE OF CUSTOMS, FISCAL, HEALTH AND IMMIGRATION REGULATIONS WOULD BE DEALT WITH ELSEWHERE.
##THE BASIC ARTICLES CONCERNING THE CONTINENTAL SHELF.
ARTICLE 2 (PREVIOUS ART. 12)
THE ECONOMIC ZONE SHALL NOT EXTEND BEYOND 200 NAUTICAL MILES FROM THE BASELINE FROM WHICH THE BREADTH OF THE TERRITORIAL SEA IS MEASURED.
ARTICLE 3 (PREVIOUS ART. 13)
1. ALL STATES, WHETHER COASTAL OR LAND-LOCKED, SHALL ENJOY IN THE ECONOMIC ZONE THE FREEDOMS OF NAVIGATION AND OVERFLIGHT AND OF THE LAYING OF CABLES AND PIPELINES, AND OF OTHER USES OF THE SEA RELATED TO NAVIGATION AND COMMUNICATION, SUBJECT TO THE PROVISIONS OF THIS CONVENTION.
2. THE PROVISIONS OF ARTICLES...SHALL APPLY TO THE CONDUCT OF SCIENTIFIC RESEARCH IN THE ECONOMIC ZONE.
3. IN CASES WHERE THE CONVENTION DOES NOT ATTRIBUTE RIGHTS OR JURISDICTION TO THE COASTAL STATES OR TO OTHER STATES WITHIN THE ECONOMIC ZONE, AND A CONFLICT ARISES BETWEEN THE INTERESTS OF THE COASTAL STATE AND ANY OTHER STATES OR STATES, THE CONFLICT SHOULD BE RESOLVED ON THE BASIS OF EQUITY AND IN THE LIGHT OF ALL THE RELEVANT CIRCUMSTANCES, TAKING INTO ACCOUNT THE RESPECTIVE IMPORTANCE TO THE PARTIES OF THE INTERESTS INVOLVED AS WELL AS TO THE INTERNATIONAL COMMUNITY AS A WHOLE.
4. THE LAYING AND MAINTENANCE OF SUBMARINE CABLES AND PIPELINES ON THE SEABED SHALL BE SUBJECT TO THE PROVISIONS OF ARTICLE....
5. IN EXERCISING THEIR RIGHTS AND PERFORMING THEIR DUTIES UNDER THIS CONVENTION, STATES SHALL HAVE DUE REGARD TO THE RIGHTS AND DUTIES OF THE COASTAL STATE IN THE ECONOMIC ZONE.
UNQUOTE DALE

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FROM USDEL LOS
E.O. 11652: GDS
TAGS: PLOS

SUBJECT: LOS-HUGHES INCIDENT

1. HUGHES INCIDENT IS WIDELY DISCUSSED BY FOREIGN DELS
IN CORRIDOR ALTHOUGH ISSUE HAS NOT BEEN DIRECTLY RAISED
IN PUBLIC FORUM. GRP OF 77 SUPPORT FOR REGULATION OF
SCIENTIFIC RESEARCH IN DEEP SEABED, HOWEVER, HAS NOT
REPEAT NOT BEEN PRESENTED IN SAME CONCILIATORY MANNER
AS OTHER POSITIONS AT THIS SESSION.

2. PRIOR TO COMMITTEE I MEETING, SOV REP (VALENTIN A.
ROMANOV) ASKED US COMTE I REP (RATINER) WHAT US PLANNED
TO SAY IF QUOTE SUBMARINE ISSUE UNQUOTE WAS RAISED IN
COMMITTEE. REP REPLIED WE WOULD HAVE NOTHING TO SAY
AND WE WILL INDICATE QUOTE NO COMMENT UNQUOTE. SOV
REP REPLIED QUOTE GOOD, WE DO NOT WANT TO SAY ANYTHING
EITHER UNQUOTE. DALE

Pen
US5R
Comm. I & III
Group 77

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